2

REMARKS

1.   In paragraph 4 of the Office Action the Examiner has rejected claims 1 to 3 as being obvious in light of DeLorme (US 6,321,158) in view of Lima (US 5,406,491). In response, the Applicant submits that claims 1 to 3 are not anticipated by these citations and makes the following arguments in support of this view:

(a)   The Examiner concedes that *"DeLorme et al. [does] not disclose the sensing device, sensing coded data in the vicinity of a particular geographic location"* but then suggests that *"Lima discloses when placed in an operative position relative to the map, the sensing device sensing the coded data in the vicinity of a particular geographic location and generating the indicating data using at least some of the sensed coded data (see columns 5-7, lines 4-9)."* It is not clear from the Office Action if the Examiner considers the claimed sensing device to be anticipated by Lima's bar code reader or by Lima's light pen. Both of these possibilities are dealt with below:

(i)   **Bar code reader:** Lima's barcode reader does not anticipate the claimed sensing device for the following reasons: The claimed sensing device *"sens[es] at least some of the coded data in the vicinity of a particular geographic location."* It is important to note that the *"particular geographic location"* is *"at least one of: a starting point of the route, a way-point of the route, and a destination of the route."* In the Lima arrangement, the starting point of the route (shown in Figure 1) is point C, the destination of the route is point D and the way point could be any point along segments S1 to S8. So, for the Lima barcode reader to anticipate the claimed sensing device the Lima barcode must sense coded data in the vicinity of point C, point D, or somewhere in between. However, this does not occur.

The barcode reader is not used in the vicinity of points C, D or at any point in between. Instead, the barcode reader is only used to scan barcode 13A or 13B. Column 5, lines 17-19 read *"The traveller then "enters" the location A by (1) reading in the bar code information from strip 13 A, using a bar code reader 17, and (2A) entering location A by pressing a light pen 19 at the location I$_A$ shown on the map."* It is the light pen that is placed in the vicinity of point C and traces a route to point D, not the barcode reader.

This raises the question of whether the light pen anticipates the features of the claimed sensing device.

3

(ii)   **Light Pen:** Lima's light pen does not anticipate the claimed sensing device for the following reasons: The Lima light pen does not sense any coded data and therefore does not anticipate the feature of *"the sensing device, when placed in an operative position relative to the map, sensing at least some of the coded data in the vicinity of a particular geographic location."* The Lima light pen is used in conjunction with a transparent display placed over the map in order to trace the route from C to D. There is no disclosure of the light pen sensing any coded data.

Furthermore, because the Lima light pen does not sense any coded data, it does not *"generat[e] the indicating data using at least some of the sensed coded data"* either.

(b)   It is clear from the above discussion that neither Lima's barcode reader, nor Lima's light pen disclose a sensing device as claimed. Lima therefore does not disclose the claim 1 step of:

> *"receiving, in the computer system, indicating data from a sensing device operated by the user, the indicating data regarding the identity of the map and a position of the sensing device relative to the map, the sensing device, when placed in an operative position relative to the map, sensing at least some of the coded data in the vicinity of a particular geographic location and generating the indicating data using at least some of the sensed coded data."*

Similarly, Lima does not disclose the claim 3 feature of:

> *"a computer system for receiving indicating data from a sensing device operated by the user, the indicating data regarding the identity of the map and a position of the sensing device relative to the map, the sensing device, when placed in an operative position relative to the map, sensing at least some of the coded data in the vicinity of a particular geographic location and generating the indicating data using at least some of the sensed coded data."*

2.   Furthermore, the Applicant wishes to make the point that the Applicant's task of answering the Examiner's objections has been made all the more difficult by the manner in which the Examiner has stated the objections. In this regard, the Examiner has failed to

4

point out the particular features of the citations which are alleged to anticipate the claimed features. In addition, instead of directing the Applicant to small passages of citation text in order to support the objections, the Examiner has instead cited large slabs of text, leaving the Applicant to wade through the material to try to guess at what the Examiner thinks is an anticipating feature. For example, in paragraph 4 alone, the sections of text referred to by the Examiner amount to approximately 17 columns of material.

In the Applicant's opinion, the Examiner has failed to clearly present the case the Applicant has to answer. Should the Examiner choose to maintain these objections on such poorly justified and vague grounds, the Applicant will have no choice but to make a formal complaint to the examiner's supervisor, William Cuchlinski.

5

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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